

Workers Compensation Fraud Information

K-WC 706 (Rev. 6-12)

Fraud and Abuse Investigation Unit

Identifying and prosecuting workers compensation fraud is a priority for Kansas. The Fraud and Abuse Unit was established in 1994 to detect, investigate and deter fraudulent and abusive acts or practices by employers, employees and health care providers.

This unit does not investigate misconduct by insurance carriers or agents. Instead, the Kansas Insurance Department (785-296-3071) addresses those complaints.

Our Staff

Assistant Attorney General

An Assistant Attorney General is assigned to direct the prosecution of workers compensation fraud and abuse. The Assistant Attorney General pursues administrative or criminal proceedings against employees, employers and health care providers who violate the Workers Compensation Act.

Special Investigators

The Special Investigators investigate suspected fraud or abuse. The investigators interview witnesses, collect evidence and testify in administrative or criminal proceedings.

Administrative Specialist

The Administrative Specialist maintains records of payments, enters data, prepares exhibits for hearings and takes complaints of suspected fraud.

Areas of Investigation

Fraudulent or Abusive Acts:

Administrative and Criminal

Defined in K.S.A. 44-5,120(d) and 44-5,125.

Examples of fraudulent or abusive acts include:

- making false or misleading statements to obtain benefits
- presenting a false certificate of insurance
- submitting a charge for health care not furnished

The penalty for committing such acts:

- \$2,000 fine for each act of fraud or abuse
- misdemeanor or felony criminal charges

Employer Failure to Secure Workers Compensation Insurance

In general, an employer with a payroll exceeding \$20,000 must secure workers compensation coverage for its employees.

The penalty for violating this provision is twice the annual premium or \$25,000, whichever is greater.

Employer Failure to Timely File Accident Report

Every employer has a duty to report employee accidents within 28 days if the injuries wholly or partially incapacitate the person for more than the day, shift or turn.

Penalty for repeated violations:

- \$250 for each violation

Reporting

The Fraud and Abuse Unit receives complaints of suspected fraud from many different sources including:

- Insurance companies
- Kansas Insurance Department
- Employers
- Employees
- Attorneys

If you believe that a violation of the Workers Compensation Act has occurred, please notify us. A printable form is available online in the Workers Compensation section.

Website www.dol.ks.gov/wc/fraud.html

Email wcfraud@dol.ks.gov

Phone (785) 296-4000
Toll Free: (800) 332-0353 (option 3)

Mail Kansas Department of Labor
Division of Workers Compensation
Fraud and Abuse Unit
401 SW Topeka Blvd., Suite 2
Topeka, KS 66603-3105

You may choose to remain anonymous.